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Dated: February 14, 2003

Signature: 
(Frankie Ho)

Patent Office

Docket No.: 29888/36772A/US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Gabriel Raviv et al.

Application No.: 09/901,244

Filed: July 9, 2001

RECEIVED

FEB 25 2003

TECHNOLOGY CENTER R3700

Group Art Unit: 3736

Examiner: Pamela L. Wingood

For: EAR PROBE TIP

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Supplemental Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Rejection or Notice of Allowance.

A sample or a copy of each reference listed on PTO/SB/08 is attached.

Two references cited on the attached PTO/SB/08 consist of photos of a family of ear probe tips believed to have been in public use or on sale in the United States before the critical date of the pending application and the critical date of its parent application (serial no. 09/225,754 filed on January 5, 1999 and issued on July 10, 2001 as U.S. Patent No.

6,258,043, hereinafter the '043 patent). See Exhibits A and B. These ear probe tips were raised to applicants' attention by representatives of Etymotic Research, Inc. of Elk Grove Village, IL, USA in response to a discussion with Etymotic of the existence of the pending application and its parent application. The subject of the discussions was the possibility that a different ear probe tip produced by Etymotic may infringe the claims of the pending application once issued and the '043 patent. Applicants were aware of this family of ear probe tips before the filing of the parent application, and these ear probe tips are believed to be cumulative to the ear probe tip shown in U.S. Patent No. 4,122,841 to Rock et al. previously cited by applicants.

The remaining references cited were recently identified by applicants as part of an investigation of the Etymotic ear probe tip.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 29888/36772A/US. A duplicate copy of this paper is enclosed.

Dated: February 14, 2003

Respectfully submitted,

By Frankie Ho
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